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### **REMARKS**

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

### **Status of Claims**

Claims 1-3 are pending and have been rejected.

Claims 1-3 have been canceled herein without prejudice or disclaimer. In making this cancellation without prejudice, Applicants reserve all rights in these claims to file divisional and/or continuation patent applications.

New claims 5 and 6 have been added herein in order to further define what the Applicants consider to be the invention. Applicants respectfully assert that new claims 5 and 6 add no new matter to the application. New claims 5 and 6 are similar in scope to original claims 2 and 3, respectively. Referring to Figure 2, new claim 5 defines the position of the mask as being such that its edge lies within the area of Figure 2 defined by points H1, H2, C2 and C1, and new claim 6 defines the position of the mask as being such that its edge lies within the triangular area of Figure 2 defined by points H, C2 and C1. Support for new claims 5 and 6 can be found in original claims 2 and 3, respectively, as well as in the specification, at pages 5-7. Thus, no new matter has been added by these claim amendments.

### **CLAIM REJECTIONS**

#### **35 U.S.C. § 112 Rejections**

In the Office Action, the Examiner rejected claims 1-3 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner stated that there is insufficient antecedent basis for "that mask" in claim 1, that there is insufficient antecedent basis for "the further plane" in claim 2 and that claims 2 and 3 improperly define a further plane by referencing a figure of the application.

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In response, Applicants note that claims 1-3 have been canceled herein, and replaced with new claims 5 and 6. Claims 5 and 6 do not have the insufficient antecedent basis issues objected to by the Examiner and do not include any reference to the drawings. Thus, the rejections are moot.

### **35 U.S.C. § 102 Rejections**

In the Office Action, the Examiner rejected claims 1-3 under 35 U.S.C. § 102(b), as being anticipated by Abe et al. (U.S. Patent No. 4,776,938). Applicants respectfully traverse this rejection in view of the remarks that follow.

Abe et al. disclose a magnetic disc having a non-magnetic underlayer formed on a substantially flat surface of a substrate by growing grains of a magnetic material in a circumferential direction of the magnetic disc, and a magnetic layer formed on the non-magnetic underlayer, where the magnetic easy axis of the magnetic layer is oriented in the circumferential direction of the magnetic disc. A method of producing the magnetic disc forms the magnetic layer so that the magnetic easy axis thereof becomes oriented in the circumferential direction of the magnetic disc. The Examiner stated that the limitations of claim 1 are disclosed in Abe et al.

Applicants first note that new claims 5 and 6 recite a method of simultaneously depositing at least two vapor materials from least two vapor sources on a single substrate.

Applicants contend that Abe et al. does not prepare binary mixtures from separate sources controlled by shield/masks but rather evaporate pre-formed mixed targets. Abe et al. does not control the composition of mixtures but first coats a substrate with one (non-magnetic) material and then, in a second step, coats the substrate with a preformed binary mixture (magnetic material) from a single source. Furthermore, the deposition technique in Abe et al. is not directed to minimize gradient effects but rather to enhance the particular grain growth and angular orientation of the deposited material by the use of the mask. The teaching of Abe et al. has no bearing upon the problem addressed by the present invention.

Moreover, Applicants note that new claims 5 and 6 have been presented in order to specifically recite the positioning of the mask, which is not disclosed by Abe et al.

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Accordingly, new claims 5 and 6 are not anticipated by Abe et al., and Applicants respectfully request that the Examiner withdraw this rejection.

In the Office Action, the Examiner also rejected claims 1-3 under 35 U.S.C. § 102(b), as being anticipated by Barkley (U.S. Patent No. 2,676,114). Applicants respectfully traverse this rejection in view of the remarks that follow.

Barkley discloses a method of producing grated coatings and discusses shadowing of multiple point sources, thereby resulting in "steps" (e.g., Figs. 4, 14 and 16) rather than a continuously varying gradient. In Fig. 7 of Barkley, it is shown that continuous variation can be obtained only by tilting the sources, which is technically hugely demanding. Thus, the teaching of Barkley is not relevant to the problem addressed by the present invention.

Moreover, Applicants note that new claims 5 and 6 have been presented in order to specifically recite the positioning of the mask, which is not disclosed in Barkley.

Accordingly, new claims 5 and 6 are not anticipated by Barkley, and Applicants respectfully request that the Examiner withdraw this rejection.

### **Conclusion**

In view of the foregoing amendments and remarks, Applicants assert that the pending claims are allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

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